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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/608,450	06/27/2003	Thomas Strasser	9024.1011	9400
21831	7590 08/21/2006		EXAMINER	
WOLF BLOCK SCHORR AND SOLIS-COHEN LLP			DONELS, JEFFREY	
250 PARK A NEW YORK	(VENUE (, NY 10177		ART UNIT	PAPER NUMBER
			2837	
		DATE MAILED: 08/21/2006		

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)			
Office Action Summary		10/608,450	STRASSER ET AL.			
		Examiner	Art Unit			
		Jeffrey Donels	2837			
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply						
WHIC - Exte after - If NC - Failu Any	ORTENED STATUTORY PERIOD FOR REPL' CHEVER IS LONGER, FROM THE MAILING Donsions of time may be available under the provisions of 37 CFR 1.1 SIX (6) MONTHS from the mailing date of this communication. O period for reply is specified above, the maximum statutory period or the toreply within the set or extended period for reply will, by statute reply received by the Office later than three months after the mailing ed patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be timwill apply and will expire SIX (6) MONTHS from , cause the application to become ABANDONE	N. nely filed the mailing date of this communication. D (35 U.S.C. § 133).			
Status						
1)	Responsive to communication(s) filed on <u>13 Fe</u>	ebruary 2006.	-			
′=		action is non-final.				
3)□	Since this application is in condition for allowar		secution as to the merits is			
.—	closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.					
Dispositi	ion of Claims					
4)⊠	Claim(s) <u>7-21</u> is/are pending in the application.					
	4a) Of the above claim(s) is/are withdrawn from consideration.					
	Claim(s) is/are allowed.					
6)⊠	Claim(s) <u>7-21</u> is/are rejected.					
7)	•					
8)	Claim(s) are subject to restriction and/o	r election requirement.				
Applicati	on Papers					
9)☐ The specification is objected to by the Examiner.						
10)☐ The drawing(s) filed on is/are: a)☐ accepted or b)☐ objected to by the Examiner.						
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).						
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).						
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.						
	ınder 35 U.S.C. § 119					
_		priority under 35 LLS C & 110(a)	(d) or (f)			
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of:						
1.☐ Certified copies of the priority documents have been received.						
	2. Certified copies of the priority documents have been received in Application No					
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage						
	application from the International Bureau		d in this National Stage			
* See the attached detailed Office action for a list of the certified copies not received.						
2						
		•				
Attachmen	t(s)					
1) 🔲 Notic	e of References Cited (PTO-892)	4) Interview Summary	(PTO-413)			
2) 🔲 Notic	e of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Da	te			
3) 🔼 Inform Pape	nation Disclosure Statement(s) (PTO-1449 or PTO/SB/08) r No(s)/Mail Date 2005/20/	5) Notice of Informal Pa	atent Application (PTO-152)			

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DETAILED ACTION

Claim Rejections - 35 USC § 112

Claims 8 and 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding Claim 8, the phrase "or the like" does not clearly recite any particular structure or function and is indefinite. Correction is required.

Regarding Claim 13, the structure required to perform the recited functionality is not clearly recited. Correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 7-21 are rejected (to the extent understood) under 35 U.S.C. 102(b) as being fully met by Ogawa et al. (USP 5525062).

Regarding Claims 7 and 15, Ogawa discloses a training apparatus for singing which comprises a first input device 10 structured and arranged to receive a voice signal from a singer's performance, a second input device 1,8,30 structured and arranged to receive a reference voice signal, a processor 33 coupled to said first and second input devices, structured and arranged to compare, during said singer's

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performance, at least one property of said voice signal selected by a user with the same at least one property of said reference signal, and an output device 302 structured and arranged to provide feedback to said singer during said singer's performance based upon said comparison.

Regarding Claim 8, the system is a module of another system such as karaoke (Col. 1 line 9).

Regarding Claims 9,16, the feedback is visual (Figs. 23 and 24) or auditory (Col. 9 lines 42-53).

Regarding Claims 11,18, the comparison and feedback is carried out at a plurality of intervals t-1,t-2, ... (Col. 14).

Regarding Claims 12,19, the output device further provides said singer at the end of said singer's performance with a summary report of each of said at least one properties of said singer's performance (Col. 7 lines 45-52).

Regarding Claims 14,20, the initial value N set by operating means 33 reads on calibrating the processor to improve the quality of the comparison (see Col. 12 lines 1-4).

Regarding Claim 21, Ogawa discloses a first audio source 1,3,8 that emits an audio signal and a device 30 for creating a reference voice signal by removing accompaniment from said audio signal (Abstract).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey Donels whose telephone number is 571-272-2061. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lincoln Donovan can be reached on 571-272-2800 ext 37. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Jeffrey Donels Primary Examiner Art Unit 2837